

VZCZCXYZ0001
PP RUEHWEB

DE RUEHBO #4616/01 1442226
ZNY CCCCC ZZH
P 242226Z MAY 06
FM AMEMBASSY BOGOTA
TO RUEHC/SECSTATE WASHDC PRIORITY 5235
INFO RUEHGV/USMISSION GENEVA PRIORITY 1351
RUEHCV/AMEMBASSY CARACAS 7744
RUEHLP/AMEMBASSY LA PAZ MAY LIMA 3790
RUEHQT/AMEMBASSY QUITO 4432
RUEHGL/AMCONSUL GUAYAQUIL 3559

C O N F I D E N T I A L BOGOTA 004616

SIPDIS

SIPDIS

E.O. 12958: DECL: 05/24/2016
TAGS: [PGOV](#) [PHUM](#) [ELAB](#) [ETRD](#) [CO](#)
SUBJECT: CAMPAIGN SEASON INFLUENCES GOVERNMENT-LABOR
RELATIONS

REF: A. BOGOTA 3764
[1](#)B. BOGOTA 4055
[1](#)C. BOGOTA 4537

Classified By: Ambassador William B. Wood. Reasons: 1.4 (b) & (d)

SUMMARY

[1](#)1. (C) On April 19th, perhaps influenced by political reasons, an alliance of Colombia's three major trade confederations and a pensioner's group announced a suspension of dialogue with the GOC over lack of GOC action on an alleged trade unionist "hit list," a World Bank report calling for lowering the minimum wage, and overall poor labor standards. The alliance says it concerned that a second Uribe Administration will weaken worker rights, most notably by reducing the minimum wage, although GOC officials have denied this. Although labor's political strategy has not significantly weakened Uribe in the polls, a possible teacher's union strike and ongoing judicial sector strike could affect a smooth voting process. End Summary.

LABOR SUSPENDS DIALOGUE WITH THE GOC

[1](#)2. (C) The United National Command (CNU), an alliance of Colombia's three major trade confederations, and a pensioner's group, announced on April 19th a suspension of dialogue with the GOC. In a public statement, the CNU denounced an alleged "hit list," which targeted trade union activists, and explained it would no longer participate in the National Commission of Settlement for Labor Affairs, a monthly tripartite roundtable mandated by law. According to the allegations, brought forth by a jailed ex-official with the Department of Administrative Security (DAS), the DAS had supplied the list to "paramilitary death squads" (reftel A). The public statement also highlighted concerns over a recent World Bank report calling for a lowering of the minimum wage and more flexible labor standards, and overall workers' rights concerns. The statement concluded by calling on "all forces of society" to oppose the reelection of President Uribe.

[1](#)3. (C) Carlos Rodriguez, president of the United Confederation of Workers (CUT), told Laboff the CNU decided to suspend dialogue with the GOC under pressure from rank and file trade unionists and "extremist" elements. He explained, "This was the only way we could get the government's attention." Apicedes Fernandez, president of the Confederation of Colombian Workers (CTC), said the CNU's

decision was a "joint declaration" against DAS corruption and impunity for violence against trade unionists. The CNU met with the Minister of Social Protection Diego Palacio and Vice Minister Jorge Leon Sanchez on April 31, after which labor declared it would not resume dialogue until at least after the Prosecutor General releases findings on the alleged hit list.

WITHDRAWAL MORE POLITICAL THAN PRACTICAL?

14. (C) Senator Jesus Bernal Amorocho of the leftist Polo Democratico Alternativo (POLO), who sits on the Senate's Labor Committee, told Laboff the suspension of talks with the GOC was "more political than practical." He said the National Commission of Settlement was "a commission, but without any settlement." He claimed the GOC "listens but never hears anything" in the Commission, and predicted the suspension would not have any real consequences. Prominent labor leaders also recognize the political nature of the suspension. CUT president Rodriguez, for example, explained the suspension would "definitely" last through the elections. "If we meet with Uribe now, it would look like we were supporting him," he said. Rodriguez said the CNU also wanted to garner attention from the International Labor Organization (ILO), and predicted dialogue with the GOC would resume after the May 28 Presidential election and the June International Labor Conference in Geneva. Vice Minister Sanchez agreed there were "no practical consequences" of the suspension as GOC and labor discussions were continuing on the subregional level, adding, "Even the most radical leaders have told me they are interested in continuing dialogue with us

privately." He called the suspension, "purely political," and claimed the move had hurt organized labor's public perceptions more than Uribe's.

URIBE'S LABOR DAY SPEECH: PROGRESS OR CAMPAIGN RHETORIC?

15. (C) In a May Day speech, President Uribe called for greater use of indefinite contracts for employees having remained with one entity for more than one year. Labor leaders have frequently identified the use of fixed-term contracts as the primary impediment to freedom of association. The next day, however, press reports quoted a presidency official clarifying that Uribe was not proposing these conditions for public employees, but rather encouraging the private sector to follow these suggestions. Senator Bernal called the Uribe speech "campaign rhetoric." He referred to the State as "the worst violator of labor rights", explaining that 500,000 of the 800,000 public servants are under fixed term contracts or are hired through temporary staffing agencies. He claimed that if Uribe sincerely wanted to improve labor rights, he would start by enacting reforms in the public sector. Vice Minister Sanchez disagreed, saying the Uribe speech had already bore fruit, and referred to a May 14 announcement by beverage giant Bavaria, S.A. as proof that Uribe's words meant actions. According to Bavaria, the company will directly contract 330 employees who had previously been working as temporary workers, beginning June 1.

MINIMUM WAGE, LABOR CODE AT RISK AFTER MAY 28?

16. (C) Labor leaders fear that the GOC will take steps to add further flexibility to the labor code and lower the minimum wage, in accordance with the World Bank's recommendations, following an expected Uribe victory on May 28. Senator Bernal said Congress would likely lower the minimum wage after the elections, but warned "This will be very dangerous, as Colombia is already sitting on gunpowder ready to explode." Vice Minister Sanchez, however, told Laboff, "We do not want to lower the minimum wage," explaining that the

economy had been improving and unemployment rates had been decreasing under the current policies. Conservative Party Representative Santiago Castro Gomez told other Poloffs that any proposal to lower the minimum wage would "never" be passed in the House. In addition to the concern over a minimum wage reduction, Senator Bernal claimed that Minister of Social Protection Palacio had told him the GOC intends to introduce legislation after the election that would allow pension payments to fall below minimum wage levels.

INCIDENCE OF STRIKES INCREASES AS ELECTIONS APPROACH

17. (C) May has witnessed three large-scale strikes. On May 2-3, virtually all of Bogota's bus drivers and owners conducted a strike that took 95 percent of the capital's 25,000 buses off the roads, affecting 4 million residents (reftel B). On May 11, the National Association of Judicial Branch Employees (ASANOL) began a strike involving 38,000 judicial sector employees, including clerks, secretaries, federal prosecutors, judges, and forensic investigators, effectively paralyzing the judicial system. Although the GOC declared the strike illegal after one week and withdrew from negotiations, the strike continues as of this writing. ASONAL president Fabio Hernandez claimed the strike did not have political motivations, although other labor leaders said the union was taking advantage of the timing of the elections. In addition, approximately 4,000 coal miners from Drummond, Inc. launched a strike on May 22 (septel), joining 300 workers on strike from Swiss coal mining company Glencore (reftel C). Drummond and Glencore account for approximately 45 percent of national coal production. The Union of Mine and Energy Workers (SINTRAMINERGETICA), which represents the majority of Drummond and Glencore workers, is demanding a salary increase of 20 percent, a special pension, social investment, and greater attention to health and safety issues. The lead negotiator for the Foundation of Energy Workers (FUNTRAENERGETICA), an energy industry federation representing SINTRAMINERGETICA, denied that the strike had political objectives. He explained, "The Uribe fraud machine has already won the election, there's nothing we can do about that."

NATIONAL STRIKE THAT COULD AFFECT ELECTION DAY?

18. (C) There is speculation that a proposed teacher's strike and the ongoing judicial strike could affect election day. On May 18, CTC International Relations Director Jose Leon Ramirez told Laboff that the CNU was discussing the possibility of encouraging the Colombian Federation of Educators (FECODE) to conduct a teacher's strike. Considering that up to 75 percent of polling station workers are teachers, such a strike could conceivably affect the May 28 Presidential elections. FECODE represents some 280,000 teachers and has been a vigorous opponent of Uribe. Although the political motivations of such a strike are clear, Ramirez said FECODE would declare the strike under the auspices of showing solidarity with ASONAL and presenting its own salary demands. He added that CUT president Rodriguez and Julio Roberto Gomez, the Secretary General of the General Work Confederation (CGT), were supporting this strike proposal, but CTC president Fernandez was not. On May 19, CTC Executive Committee member Ivan Toro told Laboff that the prospects for the strike had become "very doubtful." ASONAL president Fabio Hernandez, representing the judicial sector, also claimed his union's strike could affect election day, calling the role of judges in ballot counting, "significant."

MODERATES AND RADICALS FIGHT TO DEFINE LABOR AGENDA

19. (C) The state of organized labor in Colombia parallels that of the political left (septel) and is basically divided

into two camps: moderates who emphasize practical governance and radicals who are more involved in pursuing political agendas. The Bogota bus strike reflected this division, with ex-labor leader and POLO leftist Wilson Borja having attacked Mayor Garzon as a "fascist" for initially refusing to negotiate with the striking drivers and owners. Mayor Garzon is also a POLO party member and an ex-president of the CUT, Colombia's largest and most influential trade confederation, representing over 60 percent of Colombia's organized workers.

On the first day of the strike, current CUT president Rodriguez, a Liberal Party member, issued a statement supporting Garzon for his efforts at modernizing the capital's mass transit system. The next day, nine of CUT's 21 Executive Committee members issued a statement criticizing Garzon and supporting the strike. Many argue such fissures foreshadow a splitting of the CUT, following its August Congress. While CUT founder Hector Fajardo said such rumors circulate every four years when the CUT Congress takes place, he said this year's Congress, as well as the POLO's Congress in early Fall, would affect the future of organized labor in Colombia.

WOOD